



JENNIFER M. GRANHOLM
GOVERNOR

State of Michigan
STATE 9-1-1 COMMITTEE
East LANSING

SHERIFF DALE GRIBLER
CHAIR

January 29, 2009

Dear County Clerks:

On December 23, 2008, Governor Granholm signed Public Act 379. Public Act 379 made changes to the 9-1-1 law in Michigan. This letter is intended to highlight those changes and the corresponding documentation that the State 9-1-1 Office would like to receive from the counties. This letter will also address the changes that affect the local county-based 9-1-1 surcharge. Whether the county collects local 9-1-1 surcharge or not, please read this letter as it contains information important to all Michigan Counties.

In general, MCL 484.1401b sets out the parameters for local surcharge. The changes relevant to current county 9-1-1 surcharges are as follows:

484.1401b (1) (a)-(c) - Allows for county board of commissioners to apply a local 9-1-1 surcharge up to \$0.42 by resolution and up to \$3.00 by voter approval. The *total* maximum local surcharge is \$3.00.

484.1401b (2) - Grandfathers in the current county 9-1-1 surcharges as approved by MPSC U-15489.

484.1401b (7) - Extends the annual date for counties changing their local surcharge to notify the State 9-1-1 Committee from April 1 to May 15. (Note – the annual effective date is still July 1.)

484.1401b (12) - Language adding to the confidentiality requirements of the counties in reference to information received as a result of providers' remittance of the local 9-1-1 surcharge.

484.1401b (14) - County 9-1-1 surcharges can only be used for purposes listed in the SNC's allowable and disallowable usage list.

484.1401b (15) - Allows for the collection of specific surcharge to continue beyond the sunset date for certain bonded obligations.

A complete copy of MCL 484.1401b is attached and a complete copy of the 9-1-1 statute can be found at www.michigan.gov/msp-etsc under "Legislative Activity."

Association of Public Safety Communications Officials • Commercial Mobile Radio Service • Department of Labor and Economic Growth
Department of State Police • Deputy Sheriff's Association • Fraternal Order of Police • Michigan Association of Ambulance Services
Michigan Association of Chiefs of Police • Michigan Association of Counties • Michigan Communications Directors Association
Michigan Association of Fire Chiefs • Michigan Professional Firefighters Union • Michigan Public Service Commission • Michigan Sheriff's Association
Michigan State Police Troopers Association • National Emergency Number Association • Telecommunications Association of Michigan • Upper Peninsula
Emergency Medical Services • Members of the general public appointed by the Governor, Speaker of the House, and Majority Leader of the Senate

If a county commission determines that it is necessary for the county to enact a local surcharge that is more than \$0.42 per month **and** in excess of the monthly amount that was approved for the county by the Michigan Public Service Commission under U-15489, the voters of the county must approve the increased surcharge. In order for an increase to be effective beginning July 1, 2009, the county must hold a vote no later than the first Tuesday in May 2009. The first Tuesday in May 2009 is the last election date in 2009 to meet the statutory notice deadline for the change to take effect July 1, 2009. If the May 2009 date is missed, the surcharge effective date must be postponed until July 2010. (Please refer to your county's legal counsel for details on the dates for proper county commission action to place a question on a May 2009 ballot.)

Under MCL 484.1714(1) (g) the State 9-1-1 Committee is required to provide notice to communication providers of the 9-1-1 surcharges in Michigan. This includes the counties' 9-1-1 operational, the state 9-1-1, and the monthly prepaid surcharges. In order to make the proper notice to the communications providers about the counties' 9-1-1 surcharges, please follow one of the options below:

- a. If the county is **not** going to collect a local 9-1-1 operational surcharge between July 1, 2009, and June 30, 2010, please provide a letter to the State 9-1-1 Office no later than **3:00 p.m. on Friday, May 15, 2009**, stating that the county will **not** be collecting the local surcharge.
- b. If the county **is going to continue collection** of its local 9-1-1 surcharge with no change in the amount as currently approved under MPSC U-15489 between July 1, 2009, and June 30, 2010, please provide a letter to the State 9-1-1 Office no later than **3:00 p.m. on Friday, May 15, 2009**, stating that the county **is going to continue collection** of the local 9-1-1 surcharge as approved by MPSC U-15489. Please include a completed Form SNC-500 (attached and available on-line at www.michigan.gov/msp-etsc) with the county's letter.
- c. If the county is going to **change its local 9-1-1 surcharge** under either process set forth in MCL 484.1401b (1) (a) & (b), please do one of the following as appropriate:
 - a. If the county is going to change its surcharge by **commission resolution** and remain **under the \$0.42 per month**, a notarized copy of the county commissioners' resolution setting the local monthly 9-1-1 surcharge and a completed Form SNC-500 (attached and available on-line at www.michigan.gov/msp-etsc) must be provided. The resolution and the completed SNC-500 must be received by the State 9-1-1 Office no later than **3:00 p.m. on Friday, May 15, 2009**.
 - b. If the county is going to change its surcharge by **voter approval** to collect **more than \$0.42 per month** (and in excess of the amount approved under MPSC U-15489), a copy of the clerk's certified ballot determination, a notarized copy of the county commissioners' resolution setting the local monthly 9-1-1 surcharge, and a completed Form SNC-500 (attached and available on-line at www.michigan.gov/msp-etsc) must be provided. The certified ballot question, resolution, and the completed SNC-500 must be received by the State 9-1-1 Office no later than **3:00 p.m. on Friday, May 15, 2009**.

All documents are to be mailed to:

**STATE 9-1-1 COMMITTEE
714 S. HARRISON RD.
EAST LANSING, MI 48823**

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By statute, the above information is not due to the State 9-1-1 Committee until May 15th of each year, however, if it is possible for the county to do so, earlier responses will be accepted and are encouraged. Failure to meet the May 15th deadline may result in the inability of the State 9-1-1 Office to notify the

communications providers prior to the annual deadline and can adversely affect the collection of your county's local 9-1-1 surcharge.

If you have any questions, please do not hesitate to contact me at (517) 336-6414 or by e-mail at: millerhr@michigan.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Harriet Miller-Brown", followed by a horizontal line.

Ms. HARRIET MILLER-BROWN
State 9-1-1 Administrator

CC: County Coordinators